MFUMO WA KATIBA

Constitutional and Governance Reform Programme

Kenya National Development Programme

Katiba Inabeba Mpango. Mpango Unabeba Taifa.

The Constitution Carries the Programme. The Programme Carries the Nation.

This document is Mfumo wa Katiba — the Kenya National Development Programme's Constitutional and Governance Reform Programme. It exists because thirty-five other programme documents contain constitutional references — to protected appropriations, to the two-thirds gender rule, to the Judiciary Fund, to the NLC mandate, to the KRC's operational sovereignty, to the dual-title land default — that are never consolidated into a single coherent reform plan. The constitutional architecture of the KNDP has been built document by document, amendment by amendment, reference by reference. It has never been read as a whole. This document reads it as a whole.

The programme requires seven constitutional amendments, thirty-two statutory amendments or new Acts, and a specific political strategy for each. Not all amendments are equal in difficulty. Some require a two-thirds majority of the National Assembly and county assemblies — achievable through coalition politics. Some touch constitutional provisions that require a national referendum — the most demanding and the most consequential. The document names which amendments go through which pathway, in what sequence, and why the sequence matters as much as the amendments themselves.

The constitutional reform programme is not the programme's most visible element. The railway is visible. The hospitals are visible. The cooperative facilities are visible. The constitutional amendments are invisible infrastructure — they are the legal architecture beneath everything visible that determines whether what was built can be taken apart by a future government, a future Cabinet Secretary, or a future Treasury circular. A programme that builds institutions by executive order can be dismantled by executive order. A programme that builds institutions by constitutional amendment requires a constitutional amendment to dismantle. That is the difference between transformation and rearrangement.

SECTION ONE

The Architecture of Kenya's Constitutional Amendment Process

1.1 The Two Amendment Pathways

The Constitution of Kenya 2010 provides two amendment pathways. The pathway that applies determines the political strategy required. Getting this wrong — treating a referendum-pathway amendment as a parliamentary-pathway amendment — is the mistake that has derailed every major Kenyan constitutional reform attempt since 2010.

Pathway	Requirements and What Triggers It
Article 368(1) — Parliamentary Amendment	Required: a Bill supported by at least two-thirds of all members of the National Assembly (233 of 349 members) AND at least two-thirds of all members of the Senate (44 of 67 members). County assemblies: in practice, county concurrence is required for amendments affecting devolution (Article 110). Process: Bill introduced, committee stage, Second Reading with votes recorded, Senate passage, Presidential assent. Timeline: minimum 90 days from introduction to assent. Applies to: any constitutional provision NOT listed in Article 255. Most programme amendments use this pathway.
Article 255 — Popular Initiative / Referendum	Required: same parliamentary thresholds PLUS a national referendum in which the majority of votes cast, and at least 25% of votes cast in each of at least 24 of the 47 counties, are in favour. Applies to: any amendment to the term of office of the President; the independence of commissions (Chapter 15); the Bill of Rights; the constitutional supremacy clause; devolution structure; the structure and powers of Parliament; the sovereignty of the people; the national values in Article 10; the basic structure of the Amendment Chapter itself. The programme's analysis: Amendments 1, 2, 5, 7 (financial appropriations) do not trigger Article 255. Amendment 3 (NLC powers) potentially touches Chapter 15. Amendment 4 (dual-title) potentially touches Article 40 (Bill of Rights). These are analysed in their respective sections.

1.2 The Political Arithmetic

A two-thirds majority of the National Assembly requires 233 of 349 members. Kenya's National Assembly has historically been fractured along ethnic, regional, and factional lines that make 233-member coalitions difficult to assemble and maintain. The programme's political strategy for constitutional amendments is built on five observations:

Five Political Arithmetic Observations

ONE — SEQUENCE DEFEATS OPPOSITION: An amendment that is proposed before its beneficiaries exist has no constituency. An amendment that is proposed after the Judiciary Fund has been operational for three years has 8,000 Community Justice Officers, their families, and every community that has benefited from a Community Justice Hall as its constituency. The constitutional entrenchment of the Judiciary Fund at 2% is proposed in Year 3, after the CJH programme has demonstrated its value. The political arithmetic changes when you can point to something that works.

TWO — THE PROGRAMME IS THE COALITION: The KNDP's employment programme — 200,000–250,000 permanent formal positions across 47 counties — creates an employment constituency in every parliamentary constituency in Kenya. A Member of Parliament who votes against the KRC protected appropriation is voting against the Corridor Battalion employment in their constituency. The programme builds its own political coalition through its employment geography.

THREE — COUNTY ASSEMBLY RATIFICATION IS EASIER THAN IT LOOKS: Two-thirds of county assembly members in at least 24 counties (for Article 255 pathway) sounds demanding. But county assemblies are much more locally accountable than the National Assembly. An amendment that guarantees the Judiciary Fund at 2% — which funds the CJHs in every ward — is an amendment that county assembly members in every ward can explain to their constituents as a local benefit. The county assembly ratification strategy is ward-by-ward demonstration of what the amendment protects.

FOUR — OPPOSITION TO PROTECTED APPROPRIATIONS REQUIRES ARGUING FOR THEIR REDUCTION: A politician who campaigns against the constitutional protection of the Judiciary Fund must campaign for the right of a future Treasury to cut the CJHs. That is a difficult political position to hold publicly. The constitutional protection amendments are designed to have no legitimate opposition — anyone who opposes them must argue that CJHs should be funded at Treasury's discretion rather than constitutionally guaranteed.

FIVE — THE REFERENDUM IS NOT AN OBSTACLE — IT IS AN ASSET: A referendum on the dual-title land amendment or the NLC enforcement powers is a national conversation about who owns Kenyan land and whether women's land rights should be constitutionally guaranteed. That conversation, framed correctly, is winnable — and winning it builds a constitutional consensus that is far more durable than any parliamentary majority.

SECTION TWO

The Seven Constitutional Amendments — Full Text and Strategy

2.1 Amendment One — The Judiciary Fund and the Right to Justice

Source documents: Haki ya Taifa (Section 8.1), Fedha ya Taifa, Mpango wa Taifa. This is the programme's most important constitutional amendment — not because it is the most politically contested but because it is the foundation on which justice reform depends. A Judiciary Fund that can be cut by a Treasury circular is not a guarantee. A Judiciary Fund in the Constitution is.

Proposed Constitutional Text — Amendment One

ADD NEW ARTICLE 168A — THE JUDICIARY FUND AND THE RIGHT TO JUSTICE:

(1) There is hereby established the Judiciary Fund, which shall be administered by the Chief Registrar of the Judiciary under the supervision of the Judicial Service Commission.

(2) The national government shall allocate to the Judiciary Fund, in each financial year, not less than two per cent of the revenue collected by the national government in that financial year.

(3) The allocation under subsection (2) shall be a first charge on the Consolidated Fund and shall not be subject to reduction by the Cabinet Secretary responsible for finance except by amendment to this Constitution in accordance with Article 368 or Article 255.

(4) Every person in Kenya has the right to timely, accessible, and independent justice. The state has a positive obligation to provide the institutional infrastructure, the financial resources, and the independent judicial personnel necessary to make this right substantive and not merely formal.

(5) The Judiciary Fund shall be used exclusively for: (a) the establishment, staffing, equipping, and maintenance of courts and Community Justice Halls at every administrative location in Kenya; (b) the remuneration and professional development of judicial officers, Community Justice Officers, and court staff; (c) the provision of universal legal aid through the National Legal Aid Service; and (d) the digitisation and archiving of judicial records.

Strategy Element	Design
Pathway	Article 368(1) — parliamentary amendment. The Judiciary Fund does not touch Chapter 15 (independent commissions), the Bill of Rights, devolution structure, or any Article 255 trigger. It is a new financial guarantee article. Parliamentary pathway is appropriate.
Timing — Year 3	The amendment is introduced in Year 3, after: 3,000 of the 8,000 CJHs are complete and operational; the NLAS has processed its first wave of applicants; the Judiciary Fund's

Strategy Element	Design
	Year 1 and Year 2 statutory allocations have demonstrably improved justice access. The amendment says to Parliament: what you have seen working for 3 years, let us make permanent.
Coalition building	Bar Association of Kenya — strongly in favour (independence of funding is independence of judiciary). County assembly members — in favour (every county has CJHs that the Fund protects). Women's rights organisations — in favour (CJHs are the primary access point for SGBV cases). Business community — in favour (commercial disputes resolved faster). The opposition: anyone who benefits from judicial delay, judicial underfunding, or the discretion to cut the judiciary budget. That is a narrow constituency.
Senate strategy	The Senate represents counties. The Judiciary Fund protects CJHs at every ward — in every county. A Senator who votes against the amendment votes against the CJHs in their counties. The Senate strategy: present the amendment as a county equity measure — because CJHs are distributed by ward, every county benefits equally, unlike centralised justice infrastructure.

2.2 Amendment Two — Digital Infrastructure Minimum Appropriation

Source documents: Teknolojia ya Taifa, Fedha ya Taifa, Mpango wa Taifa. The National Fibre Backbone, Wingu la Taifa, and the ArdhiSasa land registry are as foundational to Kenya's development as roads and water. A Treasury that can cut the digital infrastructure budget to zero can reverse the entire Teknolojia programme. The constitutional minimum appropriation prevents this.

Proposed Constitutional Text — Amendment Two

ADD NEW ARTICLE 206A — NATIONAL DIGITAL INFRASTRUCTURE FUND:

(1) There is hereby established the National Digital Infrastructure Fund, administered by the Principal Secretary responsible for Information and Communications Technology under the oversight of an independent Digital Infrastructure Board.

(2) The national government shall allocate to the National Digital Infrastructure Fund, in each financial year, not less than one point five per cent of the revenue collected by the national government in that financial year.

(3) The allocation under subsection (2) shall be a first charge on the Consolidated Fund and shall not be reduced except by amendment to this Constitution.

(4) The Fund shall be used exclusively for: (a) the construction, maintenance, and upgrade of the national fibre backbone and satellite connectivity infrastructure; (b) the development and operation of the national digital services platform (eCitizen and its successors); (c) the national land registry digital system (ArdhiSasa and its

successors); (d) the national government cloud infrastructure (Wingu la Taifa); and (e) digital literacy and access programmes reaching communities without existing private sector connectivity.

(5) Not less than thirty per cent of the Fund in any financial year shall be allocated to counties, disbursed on a per capita basis, for county-level digital infrastructure and services.

Strategy Element	Design
Pathway	Article 368(1). Digital infrastructure does not touch any Article 255 trigger. Parliamentary pathway.
Timing — Year 4	Introduced after: Wingu la Taifa is operational; eCitizen has processed 10 million+ transactions; ArdhiSasa has reached 60% parcel coverage; the economic value of digital infrastructure is demonstrable. The county 30% allocation provision is the political sweetener that secures Senate support.
The county 30% provision	Subsection (5) — the county allocation — converts what could be perceived as a centralising amendment (national digital infrastructure) into a devolution-positive one. Every Senator can show their constituents that this amendment directs 30% of a significant national fund to counties. This is the legislative design principle: build the county benefit into the amendment text, not just into the political argument for it.

2.3 Amendment Three — National Land Commission Reform

Source documents: Ardhi ya Taifa (Section 3.1), Jinsia ya Taifa, Nyumba ya Taifa. This amendment touches Chapter 15 of the Constitution (independent offices and commissions), which some constitutional lawyers argue requires the Article 255 referendum pathway. The programme takes a conservative approach: prepare for both pathways. The Parliamentary Bill is drafted. The referendum campaign materials are simultaneously developed. If the Attorney-General's interpretation is that Chapter 15 requires a referendum, the programme uses the referendum as an asset, not a liability.

Proposed Constitutional Text — Amendment Three

AMEND ARTICLE 67 — FUNCTIONS OF THE NATIONAL LAND COMMISSION:

ADD NEW ARTICLE 67(2)(k): The Commission shall have direct standing to apply to the Environment and Land Court for enforcement orders to give effect to its decisions and recommendations, without requiring a referral from the Cabinet Secretary responsible for lands or any other executive officer.

ADD NEW ARTICLE 67(2)(l): The national government shall allocate to the National Land Commission, in each financial year, not less than zero point zero five per cent of the national budget as a protected operational budget, which shall not be reduced

except by amendment to this Constitution.

AMEND ARTICLE 67(3): The Chairperson of the National Land Commission shall be appointed by the President subject to approval by not less than two-thirds of all members of the National Assembly. The Chairperson shall serve a single non-renewable term of six years and shall not be removed from office except upon the resolution of not less than two-thirds of all members of the National Assembly or upon criminal conviction.

Strategy Element	Design
Pathway analysis — is a referendum required?	Article 255(1)(h) requires a referendum for amendments that 'affect the independence of constitutional commissions.' The NLC is a Chapter 15 commission under Article 248. The programme's legal analysis: giving the NLC enforcement standing and a protected budget strengthens, rather than diminishes, its independence. An argument can be made that the amendment is Parliament legislating in support of independence, not against it. However, the political-legal risk is real. Conservative strategy: proceed as a parliamentary amendment under Article 368(1) while preparing a referendum campaign in parallel. If challenged in court under Article 255, the referendum is ready.
Timing — Year 2	The NLC amendment is among the earliest because: Ardhi ya Taifa's national land audit cannot achieve its pace targets without the NLC having enforcement standing and adequate budget. The PILG Desk cannot function without the NLC's protected budget. The amendment is introduced as Year 2 priority legislation, before the land audit encounters the enforcement obstacles that the current NLC cannot overcome.
The referendum campaign (if required)	The referendum question would be: 'Do you support giving the National Land Commission the legal power and guaranteed funding to complete Kenya's national land audit, enforce community land rights, and hold county governments accountable for public land they hold in trust?' That question, put to a referendum, is winnable. The opposition must campaign for county governments' right to misuse trust land without enforcement. That is not a popular position.

2.4 Amendment Four — Dual-Title Land Default

Source documents: Jinsia ya Taifa (multiple ARCs including LAN/1, LAN/2, LAN/3), Ardhi ya Taifa (Section 2.2). This is the most politically transformative amendment in the programme. It changes who appears on a land document by constitutional mandate, not by ministerial preference. It directly challenges the colonial legal inheritance that defaults land title to the male household head. It touches Article 40 (protection of right to property) — which is in the Bill of Rights — meaning Article 255 referendum pathway is likely required. The programme treats this as an asset.

Proposed Constitutional Text — Amendment Four

AMEND ARTICLE 40 — PROTECTION OF RIGHT TO PROPERTY — ADD NEW ARTICLE 40(1A):

(1A) Where two or more persons share occupation of land as their primary place of residence or primary place of livelihood, any instrument of title, certificate of occupancy, or right of tenure issued in respect of that land shall name all adult persons sharing that occupation, unless all adult persons sharing occupation execute a written declaration, in a prescribed form, that they freely and without compulsion elect that the instrument be issued in the name or names of fewer persons. The state shall ensure that the prescribed form is available in all official languages and that all persons executing it have access to independent advice on the nature and consequences of their election.

(1B) No instrument of title, certificate of occupancy, or right of tenure issued in respect of land used as a primary residence or primary livelihood shall be transferred, charged, mortgaged, or otherwise encumbered without the written consent of all adult persons named in the instrument under subsection (1A).

Strategy Element	Design
Pathway — Article 255 referendum	Article 255(1)(b) requires a referendum for amendments to 'the Bill of Rights.' Article 40 is in Chapter 4 (Bill of Rights). The dual-title amendment is proposed as an addition to Article 40. Referendum pathway is required. This is not a setback — see below.
The referendum as the strategy	A referendum on dual-title land is a national conversation about women's land rights. Kenya's women — who comprise the majority of the electorate and perform the majority of agricultural labour while owning 1% of registered land — are the primary constituency. The referendum campaign message: 'Vote Yes for your mother's name on her land.' That is a message that wins. The international attention generated by a Kenyan referendum on women's land rights also generates diplomatic, civil society, and development finance pressure on any No campaign.
The 24-county threshold	The Article 255 threshold requires 25% of votes cast in at least 24 of 47 counties. The dual-title amendment's natural constituency — rural women who bear the direct cost of the current system — is distributed across all 47 counties. ASAL counties (Turkana, Samburu, Marsabit) where pastoralist women have the least formal land recognition are among the amendment's most enthusiastic supporters. The 24-county threshold is not the constraint. Getting above 50% nationally is the campaign goal.
Timing — Year 5	A referendum in Year 5 allows: 4 years of KNDP gender programme demonstrating practical change (dual-title pilot in settlement upgrading, ArdhiSasa voluntary dual registration programme, ADBK women's window data). These are the evidence base for the referendum campaign. By Year 5, the programme has produced enough women with dual-registered

Strategy Element	Design
	land to be real, visible advocates.

2.5 Amendment Five — Kenya Water Corps Protected Appropriation

Source documents: Maji ya Taifa, Fedha ya Taifa, Mpango wa Taifa. Every Kenyan water programme before KWCMC has failed the same way: the infrastructure is built, the maintenance budget is cut in the first fiscal stress year, the infrastructure fails. The constitutional appropriation makes maintenance funding structurally unavoidable.

Proposed Constitutional Text — Amendment Five

ADD NEW ARTICLE 206B — NATIONAL WATER INFRASTRUCTURE FUND:

(1) There is hereby established the National Water Infrastructure Fund, administered by the Director-General of the Kenya Water Construction and Maintenance Corps under the oversight of the Corps Board.

(2) The national government shall allocate to the National Water Infrastructure Fund, in each financial year, not less than two per cent of the revenue collected by the national government in that financial year.

(3) The allocation under subsection (2) shall be a first charge on the Consolidated Fund and shall not be reduced except by amendment to this Constitution.

(4) The Fund shall be used exclusively for: (a) the construction and rehabilitation of water supply, storage, and distribution infrastructure; (b) the maintenance of existing water infrastructure to a published national standard; (c) the establishment and operation of Community Water Trusts; and (d) hydrological research and monitoring.

(5) Not less than forty per cent of the Fund in each financial year shall be allocated to programmes serving arid and semi-arid land counties, in recognition of the elevated water access challenges in those areas.

Strategy Element	Design
Pathway	Article 368(1). Water infrastructure appropriation does not touch any Article 255 trigger. Parliamentary pathway.
ASAL 40% provision	Subsection (5) secures the votes of ASAL county Senators and Members — the communities most affected by water insecurity are constitutionally guaranteed a proportional share of the Fund. This converts 16 Senators (ASAL counties) from potential opponents to active champions of the amendment.
Timing — Year 3	Introduced after the KWCMC has demonstrated its value in Year 1 and 2, and after the CJH amendment has established the precedent of constitutional protected appropriations. Year 3 is the point at which the Kenyan public has seen enough KWCMC programme delivery to understand what the protection is

Strategy Element	Design
	protecting.

2.6 Amendment Six — Kenya Railway Corps Financing Sovereignty

Source documents: KRC Corps Act (Section 26), KRC Financing Architecture, Mpango wa Taifa. The 1% GDP appropriation for the KRC is the most expensive constitutional guarantee in the programme. It is also the most critical for the programme's long-term sustainability — because the KRC's Phase 3 corridors (Turkana, Mandera, Ethiopia) will never attract private financing and will require sustained public commitment through multiple government cycles.

Proposed Constitutional Text — Amendment Six

ADD NEW ARTICLE 206C — KENYA RAILWAY CORPS FUND AND FINANCING SOVEREIGNTY:

(1) The national government shall allocate to the Kenya Railway Corps Fund, in each financial year, not less than one per cent of the gross domestic product of Kenya as estimated by the Kenya National Bureau of Statistics.

(2) The allocation under subsection (1) shall be a first charge on the Consolidated Fund and shall not be reduced except by amendment to this Constitution.

(3) No officer of the Kenya Railway Corps, and no Cabinet Secretary, Principal Secretary, or officer of the national government, shall execute or authorise the execution of any financing agreement for railway infrastructure that contains any provision: (a) granting a foreign party operational control, management authority, or veto power over any part of the railway network; (b) granting a foreign party the right to appoint, approve, or remove any officer of the Kenya Railway Corps; (c) providing for the resolution of disputes by a forum other than Kenyan courts or a Kenyan arbitral institution; or (d) requiring Kenya to waive its sovereign immunity in respect of the railway network or the assets of the Corps.

(4) Any provision of a financing agreement that violates subsection (3) shall be void and of no legal effect, whether or not it has been executed by an officer of the state.

Strategy Element	Design
Pathway	Article 368(1). The KRC appropriation is a new financial guarantee article, not an amendment to any Article 255-listed provision. Parliamentary pathway.
The no-operational-control provision	Subsection (3) is the programme's most important sovereignty protection clause in constitutional form. It is currently in the KRC Corps Act as ordinary legislation — a future Parliament could amend it by simple majority. In the Constitution, it requires a two-thirds parliamentary majority and county assembly concurrence to weaken. This is the difference between a statutory sovereignty protection and a constitutional one. The SGR's operational control provisions —

Strategy Element	Design
	which Kenya negotiated away under political pressure — could not have been negotiated away if this constitutional prohibition had existed.
Timing — Year 2	The earliest amendment. The KRC Phase 1 construction begins in Year 1. The financing agreements for Phase 2 must be signed by Year 3. The constitutional protection of the financing sovereignty must be in place before those agreements are signed — because the constitutional prohibition in subsection (3) gives the Corps Commander legal grounds to refuse any agreement containing the prohibited provisions, regardless of political pressure.
The 1% GDP commitment — fiscal implications	1% of Kenya's current GDP (approximately USD 120B) is approximately Ksh 140B/year. This is the KRC's constitutionally guaranteed minimum annual allocation. It is a large commitment — comparable to the current entire development budget of several individual ministries. The justification: the KRC builds and maintains a 4,572km railway network that generates USD 2.7B/year in freight revenue by Year 10. The 1% GDP commitment is not a subsidy — it is a capital investment that pays its own return.

2.7 Amendment Seven — Kenya National Ambulance Corps Protection

Source documents: KNAC Corps Act, Afya ya Taifa, Mpango wa Taifa. The KNAC shares with the KRC the characteristic of being a permanent network infrastructure institution whose value depends on consistent, multi-decade funding. An ambulance corps that loses its funding in Year 6 cannot be rebuilt in Year 7 — the trained paramedics scatter, the fleet deteriorates, the dispatch network collapses. Constitutional protection prevents this.

Proposed Constitutional Text — Amendment Seven

ADD NEW ARTICLE 206D — KENYA NATIONAL AMBULANCE CORPS FUND:

(1) There is hereby established the Kenya National Ambulance Corps Fund, administered by the Director-General of the Kenya National Ambulance Corps under the oversight of the Corps Board.

(2) The national government shall allocate to the Kenya National Ambulance Corps Fund, in each financial year, not less than one per cent of the revenue collected by the national government, which shall be used exclusively for: (a) the national command structure and National Emergency Operations Centre; (b) the air and maritime operations wing; (c) the KNAC Training Academy; (d) the Community Health Paramedic programme; and (e) the Clan Health Warden programme.

(3) The allocation under subsection (2) shall be a first charge on the Consolidated Fund and shall not be reduced except by amendment to this Constitution.

(4) No charge shall be levied on any person for emergency medical services

provided by the Corps. A person who cannot pay for emergency medical services shall not be denied those services.

(5) The statutory response time standards established by the Corps Act shall have constitutional force and may not be reduced by subsequent legislation.

Strategy Element	Design
Pathway	Article 368(1). The KNAC appropriation does not touch any Article 255 trigger. Parliamentary pathway.
The no-charge provision	Subsection (4) is the constitutional expression of the programme's clearest social equity commitment: no Kenyan dies because they cannot pay for an ambulance. This provision converts the KNAC from a service programme into a constitutional right. A future government that introduces charges for KNAC services is not merely changing a policy — it is violating the Constitution.
Response time standards with constitutional force	Subsection (5) — the response time standards (Urban 20 minutes, Peri-Urban 45 minutes, Remote 60 minutes) are currently in the KNAC Corps Act as statutory standards enforceable against counties. With constitutional force, the response time standard becomes a fundamental rights matter — a county that consistently fails the standard is in constitutional breach, not merely in statutory breach. This gives courts stronger grounds to order specific performance.
Timing — Year 3	After the KNAC has demonstrated 2 years of operational performance and the political case is clear: an ambulance service that works, protected by a constitution that prevents the next government from defunding it.

SECTION THREE

What Does Not Need a Constitutional Amendment

3.1 The Statutory Amendment Programme — Thirty-Two Instruments

Thirty-two of the programme's legislative requirements are statutory — ordinary legislation passed by simple majority of Parliament, or regulations under existing Acts. These do not require the political investment of constitutional amendments and should be pursued on a faster track. They are grouped below by source document and urgency tier.

3.2 Tier One — Year 1 Priority Legislation (simple majority, first Parliamentary session)

Act	Source Document and Key Provision
Kenya Railway Corps Act	KRC Corps Act (existing KNDP document). Establishes KRC as permanent institution. Corps Commander confirmed by two-thirds NA. 1% GDP protected appropriation (statutory until constitutional amendment in Year 2). No-operational-control prohibition. Community Rail Trust framework. Community Land Compact provisions.
Kenya Water Construction and Maintenance Corps Act	Maji ya Taifa. Establishes KWCMC (five battalions, Maintenance Corps, HIU). 2% national revenue statutory appropriation (until constitutional amendment in Year 3). Community Water Trust framework. Community Engineer statutory post.
Kenya National Ambulance Corps Act	KNAC Corps Act (existing KNDP document). Director-General confirmed by two-thirds NA, 6-year non-renewable term. Statutory response time standard. Fleet minimum (2,650 vehicles). No charge at point of use. Protected appropriation (statutory until constitutional amendment in Year 3). CHP and Clan Health Warden programmes.
Kenya Roads Construction Corporation Act (KRCC Act)	KRCC/KSBC Acts (existing KNDP document). KRCC as SOE (National Treasury sole shareholder). Ksh 50B initial equity. Equipment Hire Subsidiary. KRCC Academy. 5-year imprisonment for political interference in procurement.
Kenya State Building Corporation Act (KSBC Act)	KRCC/KSBC Acts (existing KNDP document). KSBC as SOE. Ksh 40B initial equity. Design Studio and National Building Types Library. Building Standards Institute. KSBC Academy. HPCs.
National Housing Bank Act	Nyumba ya Taifa. NHB initial capitalisation (Ksh 145B). Employer Housing Levy (1% of payroll). Mortgage product framework. Affordable housing covenants.

Act	Source Document and Key Provision
Urban Land Bank Act	Nyumba ya Taifa. ULB mandate, 99-year ground leases, 0.25% ground rent, affordability covenants. ULB seeded from NLC Urban Land Audit Class A and B urban parcels.
Kenya Energy Contracts Authority Act (Energy Sovereign Protection Act)	Energy Sovereign Act (existing KNDP document). KECA established. Seven mandatory sovereign terms. Kenya Energy Tribunal. Director-General confirmation by two-thirds Parliament. 10-year imprisonment for officers executing non-KECA contracts.
Agricultural Development Bank of Kenya Recapitalisation Act	Shamba la Taifa / Fedha ya Taifa. ADBK recapitalised at Ksh 100B initial equity. Cooperative-only lending mandate. National Crop Insurance Scheme. Women's Window 30% of portfolio.
National Carbon Registry Act	Mazingira ya Taifa. Kenya Carbon Development Standard. Registry for all Kenyan carbon projects. No-export-without-minimum-benefit provision. Community 30% revenue share.
Kenya Digital Infrastructure Company Act	Teknolojia ya Taifa. KDIC as neutral carrier. National fibre backbone mandate. Open access at published tariffs. No content discrimination.
Gender Equity Act (7 Parts)	Jinsia ya Taifa. Gender Equity Tribunal. Gender Equity Compliance Certificate. Two-thirds rule enforcement (appointments violating the rule are void). GECC as procurement condition.
Settlement Maintenance Corps Act	Nyumba ya Taifa / Makazi ya Taifa. SMC as permanent institution. Ward Maintenance Units in every urban ward. 72-hour response standard. Kenya Settlement Code.

3.3 Tier Two — Year 2 Priority Legislation

Act or Amendment	Source Document and Key Provision
NLC Act Amendment — Budget, Enforcement, Appointment	Ardhi ya Taifa (Section 3). NLC budget minimum 0.05% of national budget as protected appropriation. Direct enforcement standing before Environment and Land Court. Chair appointment changed to require two-thirds NA confirmation. (This is interim statutory protection — the constitutional amendment in Year 2 or Year 3 is the permanent instrument).
Land Registration Act Amendment — Dual-Title and Guaranteed Title	Ardhi ya Taifa (Section 2.2). Dual-title default by statute (all new instruments name all adult household members unless written declaration). Title Guarantee Fund (Ksh 2B capitalisation). Bayh-Dole Kenya (IP ownership to institution, researcher 30% of net licensing revenue).
Community Land Act Amendment — County Criminal Liability	Ardhi ya Taifa (Section 2.2). Criminal liability for county officials who alienate trust community land without community assembly approval (60% attendance, 75% approval).

Act or Amendment	Source Document and Key Provision
	Imprisonment up to 10 years. NLC standing to bring criminal complaint to DPP.
Physical and Land Use Planning Act Amendment — Mandatory Spatial Plans	Ardhi ya Taifa (Section 2.2). County Spatial Plans mandatory within 18 months. Counties without published, operationalised Spatial Plans lose access to Urban Land Bank parcel releases and KSBC construction programme prioritisation.
Social Protection Act	Jamii na Ustawi. Universal Social Pension (statutory right, age 65, no means test). Child Benefit (statutory right, phased to universal). Disability Living Allowance (three bands, WHODAS 2.0 assessment). Carer's Allowance. Informal sector unemployment insurance. Social Protection Ombudsman.
Kenya Food Security Act	Chakula na Lishe. Food Security Ombudsman. 90-day strategic reserve obligation. School feeding obligation (one meal per school day, no child denied for non-payment). County Food Security Plan mandatory. Criminal offence for public officials who knowingly allow preventable food crisis when reserve mechanisms exist.
National Unemployment Insurance Act (Informal Sector Extension)	Kazi ya Taifa (extending existing). Informal sector UI through mobile money contribution pathway (Ksh 200–500/month). 60% of declared income for 4 months on activation. Linked to NIAS enrolment.
National Employment Service Act	Kazi ya Taifa. NIAS (National Interest and Aptitude System) statutory basis. Mandatory NIAS assessment for all Form 4 completers and all social protection working-age recipients.
Kenya National Research Fund Act Amendment	Sayansi na Teknolojia. KNRF Board reconstituted (research community majority, no ministerial nomination). Budget raised to Ksh 3B Year 1, Ksh 25B by Year 10. Five funding windows (Basic, Applied, Matching Fund, Kenya ARPA, Infrastructure). 3-year evaluation cycle. Bayh-Dole Kenya provision.
Kenya Space Agency Act	Sayansi na Teknolojia. KSA established as statutory body. Malindi Space Centre designated national asset. EO-SAT programme authority. Director-General competitive appointment.

3.4 Tier Three — Years 2–5 Legislation

Act or Amendment	Source Document and Key Provision
Land Value Tax Act (and Stamp Duty Abolition)	Ardhi ya Taifa (Section 9), Fedha ya Taifa. Stamp duty abolished. LVT rate structure (1.0% / 0.75% / 0.5% on unimproved land value by zone). Fixed Fee Schedule (residential transfer: Ksh 1,600 total). Residential leasehold consent regime abolished. Kenya Land Valuation Service (KLVS) as NLC division. CAMA mass appraisal methodology published.

Act or Amendment	Source Document and Key Provision
Land Valuation Tribunal Act	Ardhi ya Taifa (Section 10), Haki ya Taifa. LVT Tribunal as specialist division of Environment and Land Court. Technical assessors (RICS-equivalent KIS Registered Valuer). 60-day resolution standard. Two-track procedure (KLVS administrative review → Tribunal).
Kenya Food Safety Authority Act	Chakula na Lishe (Section 6). KFSA established replacing fragmented KEBS/KEPHIS/county food safety functions. Codex Alimentarius as floor. National food safety laboratory network (7 regional + 47 county). Aflatoxin programme. Street food safety programme.
Science, Technology and Innovation Act Amendment	Sayansi na Teknolojia. KAIST-K establishment authority. Kenya Research Academy governance framework. Sector Research Institute evaluation cycle. Bayh-Dole Kenya (if not in KNRF Amendment above).
National Social Protection Dashboard Act (or SI under Social Protection Act)	Jamii na Ustawi. Public beneficiary lists at ward level. Daily payment status reporting. Cross-registry death verification integration. Automated KIACC referral for anomaly patterns. County Social Protection League Table.
County Equitable Share Formula Revision	Fedha ya Taifa (Section 7.2). Revised formula: 20% basic, 45% population, 20% poverty index, 15% performance grant. Requires CRA recommendation and Senate concurrence — not a constitutional amendment but a political process.
Unexplained Wealth Orders — Asset Recovery Act	Haki ya Taifa. UWOs under Article 40(6). KIACC application to court for UWO against person with lifestyle inconsistent with known income. Reversal of burden of proof (person must demonstrate legitimate source). Consistent with Constitution — Article 40(6) explicitly permits legislation enabling forfeiture without criminal conviction for purposes of public interest.
Devolution Finance Reform — County Own-Source Revenue	Fedha ya Taifa (Section 7.3). LVT county share (30% of LVT collected in county). Carbon credit county share (20% of forest/bamboo carbon revenue to county government). Tourism levy county portion. County Development Fund through ADBK.

SECTION FOUR

The Governance Architecture — No Amendment Required

4.1 What the Programme Achieves Within the Existing Constitution

The most important insight in Mfumo wa Katiba is that Kenya's Constitution of 2010 is an excellent document. The problem is not the Constitution — it is the legislation and governance arrangements that implement it. The majority of the KNDP's governance reforms require no constitutional amendment — they require disciplined implementation of constitutional provisions that already exist but have never been properly operationalised.

Constitutional Provision	What It Already Requires and What the Programme Does to Activate It
Article 43 — Economic and Social Rights	Article 43 already guarantees: the right to the highest attainable standard of health (including reproductive health care), accessible and adequate housing, reasonable standards of sanitation, freedom from hunger and adequate food of acceptable quality, clean and safe water in adequate quantities, social security, and education. These are justiciable rights. No amendment is needed to create these rights — they exist. The KNHI universal health coverage, the Kenya Food Security Act, the KWCMC water programme, and the school feeding programme are the state's positive obligation to implement Article 43. The programme implements what the Constitution already commands.
Article 67 — NLC Functions	Article 67(2)(e) already gives the NLC the function to 'initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress.' The NLC has almost never exercised this power. The KNDP does not need to create this power — it needs to give the NLC the budget, the staffing, and the institutional mandate to actually use it. The NLC budget amendment (Amendment 3) is the mechanism. The Historical Injustices Land Programme is the implementation.
Article 81(b) — Two-Thirds Gender Rule	The two-thirds gender rule already exists in the Constitution. The Gender Equity Act's enforcement mechanism (appointments violating the rule are void) does not create a new constitutional right — it creates a statutory mechanism for enforcing an existing constitutional obligation. The courts have already held that the two-thirds rule is enforceable. The Act gives the enforcement machinery institutional form.
Article 40(6) — Property Forfeiture	Article 40(6) already permits Parliament to enact legislation enabling the state to take property 'in the public interest' for purposes including fighting corruption, and to permit courts to order forfeiture without criminal conviction. The Unexplained

Constitutional Provision	What It Already Requires and What the Programme Does to Activate It
	Wealth Orders are statutory implementation of an existing constitutional permission — not a new power.
Article 186 — Distribution of Functions	Devolution is constitutionally entrenched. The programme's hybrid governance model for health (L1–L2 county, L3 joint, L4–L5 national) is an exercise in the cooperative governance provisions of Article 189 — which already requires national and county governments to cooperate in performing functions. No amendment is required — the Constitution already envisages exactly this kind of cooperative governance arrangement.
Article 201 — Principles of Public Finance	Article 201 already requires that public finance be managed so that 'the burdens and benefits of the use of resources and public borrowing shall be shared equitably between present and future generations.' This is the constitutional basis for the programme's debt management rules — the Four Debt Rules in Fedha ya Taifa are an implementation of Article 201, not a departure from it.

4.2 The Institutional Governance Pattern — KNAC, KRC, KWCMC

The programme creates a new governance pattern for its most critical permanent institutions: a Parliamentary-confirmed Director-General or Corps Commander on a single non-renewable term, with a protected appropriation and no-direction by Cabinet Secretary on operational decisions. This pattern is used for KNAC, KRC, KWCMC, KECA, NLC (Chair), KNRF (Director-General), and KSA (Director-General). It is not in the Constitution. It is in the enabling Acts. Its repeated use across the programme creates a de facto constitutional convention — a pattern so embedded in the programme's institutional architecture that departing from it requires a political explanation that no government will want to give publicly.

The Parliamentary Confirmation Doctrine — Why It Works

A Cabinet Secretary can dismiss a Director-General at will. A Corps Commander confirmed by two-thirds of the National Assembly cannot be dismissed by a Cabinet Secretary — only by a two-thirds parliamentary resolution or criminal conviction. The two-thirds confirmation requirement means: no faction controls the appointment, the person confirmed has genuine cross-party legitimacy, and their removal requires the same supermajority that confirmed them. This is not constitutional protection — it is statutory protection that is harder to reverse than it looks, because reversing it requires admitting publicly that you want the power to dismiss an independent director.

The non-renewable term means: the confirmed Director-General is not loyal to any appointing authority because they will never need reappointment. They serve the institution's mandate because that is all they have. The single term forces succession planning — the institution cannot become a fiefdom because no one serves long enough to make it one.

The no-direction provision means: the Cabinet Secretary sets policy but cannot direct the Corps Commander on dispatch decisions, clinical decisions, route decisions, or contract decisions. The ministerial power over the institution is policy-level, not operational. This is the separation of strategy from operations that makes corps institutions function.

SECTION FIVE

The Master Calendar — Sequence and Political Strategy

5.1 The Amendment and Legislative Calendar

The sequence of amendments and legislation is as important as the content. An amendment that is proposed before its political coalition exists will fail. An amendment that is proposed after the evidence for it is visible will succeed. The calendar below sequences each reform for maximum political success.

Timeline	Legislative and Constitutional Actions
Year 1, Months 1–3 — Emergency session	Priority Acts: KRC Act, KWCMC Act, KNAC Act, KRCC Act, KSBC Act, NHB Act, ULB Act, KECA Act, ADBK Act, National Carbon Registry Act, KDIC Act, Gender Equity Act, Settlement Maintenance Corps Act. These are the programme's foundational enabling legislation — the institutions cannot be established without them. First Parliamentary session priority. All pass by simple majority except the KRC Act (which requires Director-General to be confirmed by two-thirds NA on the Act's commencement — but the Act itself passes by simple majority). Political strategy: these Acts create institutions that employ people in every constituency. Every Member of Parliament who votes for them votes for local employment.
Year 1, Months 6–12 — Second session	Remaining Tier One Acts: Agricultural Development Bank Act, Social Protection Act, Kenya Food Security Act, National Employment Service Act. These create the programme's social protection floor and economic participation architecture. Political strategy: these Acts reach the constituencies that the infrastructure Acts do not yet reach — the elderly, the disabled, the unemployed, the food-insecure. They expand the programme's political coalition beyond the employment beneficiaries to the welfare beneficiaries.
Year 2, Months 1–6 — Constitutional Amendment Bill One: KRC Financing Sovereignty	Amendment Six is introduced first — before the Phase 2 KRC financing agreements must be signed. The no-operational-control constitutional prohibition must be in place before any KRC Phase 2 Chinese EXIM or Gulf SWF financing agreement is executed. The 1% GDP appropriation is the political sweetener: every constituency benefits from a railway that receives guaranteed funding. Coalition strategy: every Member of Parliament in a corridor-adjacent constituency is a champion. The opposition — anyone who wants to be able to negotiate operational control into a future financing agreement — must explain that position publicly.
Year 2, Months 6–12 — Statutory amendments and Constitutional Amendment Bill Two: NLC Reform	NLC Act Amendment (statutory), Land Registration Act Amendment, Community Land Act Amendment, and Physical and Land Use Planning Act Amendment all pass as ordinary legislation. Constitutional Amendment Seven (NLC — budget and enforcement) is introduced simultaneously. If the Article 255 question arises, the Parliamentary Bill is paused and the referendum route is prepared.

Timeline	Legislative and Constitutional Actions
	Simultaneously: Kenya Food Safety Authority Act, National Unemployment Insurance Act, Kenya ARPA, NLC Amendment.
Year 3 — Constitutional Amendments Three and Four: Judiciary Fund and Water Corps	Amendment One (Judiciary Fund) and Amendment Five (KWCMC Fund) are introduced together — both are financial appropriation amendments with no Article 255 risk. By Year 3: 3,000 CJHs are operational, 2 Water Corps battalions are deployed, and the political case is visible and demonstrable. These two amendments build the constitutional precedent for protected appropriations that the KRC amendment established in Year 2. The Senate strategy: both amendments have explicit county allocation provisions (Judiciary Fund — CJHs in every ward; Water Corps — 40% ASAL allocation) that generate Senate support.
Year 3 — Constitutional Amendment Five: ICT Fund	Amendment Two (ICT Fund) is introduced after Wingu la Taifa and the ArdhiSasa national digitisation are demonstrably operational. The 30% county allocation in the ICT Fund amendment is the Senate coalition instrument. Political strategy: frame as 'constitutional guarantee for digital infrastructure that every Kenyan is already using.' Opposition must argue against guaranteeing infrastructure that everyone benefits from.
Year 4 — Constitutional Amendment Seven: KNAC Protection	Amendment Seven (KNAC protection and no-charge provision) is introduced after 3 years of operational KNAC demonstrates: ambulances reaching every county within the statutory time standard, the CHP programme generating visible community health data, the Clan Health Warden programme connecting nomadic communities to the health system for the first time. The no-charge provision is the political centrepiece: no Kenyan should die because they could not pay for an ambulance is a constitutional argument that wins in every constituency.
Year 5 — Constitutional Amendment Four: Dual-Title Referendum	The most ambitious and the most transformative. Four years of KNDP gender programme have produced: dual-title pilots in settlement upgrading, ADBK women's window data showing women-owned cooperatives outperforming, ArdhiSasa voluntary dual-registration programme data, and KAERS female extension officer graduation data. The referendum campaign uses this evidence base. International engagement: AU, UN Women, and Commonwealth endorsement of the referendum is sought in Year 4 to generate diplomatic momentum. The campaign message: 'Your mother's name belongs on her land.' The political calculus: Kenya's women are the majority of the electorate. This referendum is winnable.
Years 5–10 — Tier Three Legislation	Land Value Tax Act (stamp duty abolition and LVT rollout), Land Valuation Tribunal Act, Kenya Food Safety Authority Act, Kenya Space Agency Act, County Equitable Share Formula Revision (CRA process), Unexplained Wealth Orders Act, Devolution Finance Reform Acts. These are implemented after the foundational constitutional architecture is in place, when the political capital generated by visible programme success makes ambitious legislative reform possible.

SECTION SIX

The Constitutional Reform as Programme Lock

6.1 What Cannot Be Undone — and What Can

The programme's constitutional amendments are designed not to make the programme eternal — no programme should be eternal — but to make it expensive to reverse. The difference between a programme that a future government inherits and continues, and a programme that a future government inherits and dismantles, is institutional design. Constitutional amendments do not prevent reversal. They make reversal visible, deliberate, and politically costly.

Reform Element	Reversal Difficulty and What Reversal Requires
Constitutional amendments (Amendments 1–7)	Reversal requires: two-thirds of all NA members AND two-thirds of county assembly members in at least 24 counties (or a national referendum for Article 255 amendments). A future government that wants to cut the Judiciary Fund below 2% must pass a constitutional amendment to do so. That is a two-thirds majority in Parliament plus county assemblies. In practice, this is politically impossible while the CJHs are serving 40 million Kenyans in 8,000 communities. The constitutional protection makes reversal require exactly the kind of supermajority that a programme with real beneficiaries will never allow.
Parliamentary-confirmed Directors-General and Corps Commanders	Reversal requires: a two-thirds National Assembly resolution to remove, OR criminal conviction. A Cabinet Secretary cannot dismiss them. A new President cannot replace them through normal appointment — they serve fixed non-renewable terms. The institutional independence outlasts any individual administration.
Programme infrastructure (KRC, KWCMC, KNAC, KSBC, KRCC, Settlement Maintenance Corps)	Reversal requires: an Act of Parliament to dissolve each institution. An Act that dissolves the KRC while 4,572km of railway is carrying freight to Uganda and South Sudan, employing 50,000 Kenyans, and generating USD 2.7B/year in revenue is politically non-viable. The infrastructure itself — built, operational, generating revenue, employing people in every constituency — is the most durable lock of all. It is harder to dismantle a railway than to repeal a fund.
The Community Rail Trusts and Community Water Trusts	These are community-owned institutions holding equity in infrastructure. A future government that wants to nationalise the railway must buy out the Community Rail Trusts — which hold equity stakes in every corridor. The community ownership distributes the political constituency against reversal to the community level. It is not one organisation defending the programme. It is 10,000 clan groups defending their equity.
What can be undone — and should be	The programme is honest: some elements should be revisable. The LVT rate can be adjusted by ordinary legislation as

Reform Element	Reversal Difficulty and What Reversal Requires
	economic conditions change. The KNRF's budget can be reduced by Parliament if research priorities shift (subject only to the 80% floor). The school feeding menu can change annually based on cooperative production. The programme builds reversibility into its design where reversibility is appropriate — and constitutional permanence where permanence is required for the investment to be durable.

6.2 The Programme Amendment Reference Table — All Sources

Amendment / Legislation	Source Documents	Year	Pathway
AMENDMENT 1: Judiciary Fund 2% constitutional	Haki ya Taifa, Fedha, Mpango	Year 3	Art. 368(1)
AMENDMENT 2: ICT Fund 1.5% constitutional	Teknolojia, Fedha, Mpango	Year 3	Art. 368(1)
AMENDMENT 3: NLC budget + enforcement (const.)	Ardhi, Jinsia, Nyumba	Year 2	Art. 368(1) or 255
AMENDMENT 4: Dual-title constitutional (Article 40)	Jinsia (LAN/1-3), Ardhi	Year 5	Art. 255 — REFERENDUM
AMENDMENT 5: Water Corps 2% national revenue (const.)	Maji, Fedha, Mpango	Year 3	Art. 368(1)
AMENDMENT 6: KRC 1% GDP + financing sovereignty (const.)	KRC Act, KRC Financing, Mpango	Year 2	Art. 368(1)
AMENDMENT 7: KNAC 1% + no-charge provision (const.)	KNAC Act, Afya, Mpango	Year 4	Art. 368(1)
KRC Corps Act (new)	KRC Act, KRC Financing, KRC Land	Year 1	Simple majority + 2/3 NA for DG
KWCMC Act (new)	Maji ya Taifa	Year 1	Simple majority
KNAC Corps Act (new)	KNAC Act, Afya ya Taifa	Year 1	Simple majority + 2/3 NA for DG

Amendment / Legislation	Source Documents	Year	Pathway
KRCC Act (new)	KRCC/KSBC Acts, Ujenzi	Year 1	Simple majority
KSBC Act (new)	KRCC/KSBC Acts, Ujenzi	Year 1	Simple majority
National Housing Bank Act (new)	Nyumba ya Taifa	Year 1	Simple majority
Urban Land Bank Act (new)	Nyumba ya Taifa	Year 1	Simple majority
Energy Sovereign Protection Act (new)	Energy Sovereign Act	Year 1	Simple majority
ADBK Recapitalisation Act (new)	Shamba, Fedha	Year 1	Simple majority
National Carbon Registry Act (new)	Mazingira ya Taifa	Year 1	Simple majority
KDIC Act — neutral carrier (new)	Teknolojia ya Taifa	Year 1	Simple majority
Gender Equity Act (new)	Jinsia ya Taifa	Year 1	Simple majority
Settlement Maintenance Corps Act (new)	Nyumba, Makazi	Year 1	Simple majority
Social Protection Act (new)	Jamii na Ustawi	Year 1	Simple majority
Kenya Food Security Act (new)	Chakula na Lishe	Year 1	Simple majority
NLC Act Amendment (existing)	Ardhi, Jinsia, Nyumba	Year 2	Simple majority
Land Registration Act Amendment (existing)	Ardhi, Jinsia	Year 2	Simple majority
Community Land Act Amendment (existing)	Ardhi, Jinsia, Mazingira	Year 2	Simple majority
PLUPA Amendment — mandatory Spatial Plans (existing)	Ardhi ya Taifa	Year 2	Simple majority
KNRF Act Amendment (existing)	Sayansi na Teknolojia	Year 2	Simple majority
Kenya Space Agency Act (new)	Sayansi na Teknolojia	Year 2	Simple majority

Amendment / Legislation	Source Documents	Year	Pathway
National Employment Service Act (new)	Kazi ya Taifa	Year 2	Simple majority
Unemployment Insurance Act — informal sector (new)	Kazi ya Taifa, Jamii	Year 2	Simple majority
Land Value Tax Act (new, replaces stamp duty)	Ardhi, Fedha, Nyumba	Year 3	Simple majority
Land Valuation Tribunal Act (new)	Ardhi, Haki	Year 3	Simple majority
Kenya Food Safety Authority Act (new)	Chakula na Lishe	Year 3	Simple majority
Unexplained Wealth Orders / Asset Recovery Act (new)	Haki ya Taifa	Year 4	Simple majority
County Equitable Share Formula Revision	Fedha ya Taifa	Year 2	CRA + Senate concurrence

MFUMO WA KATIBA — Constitutional and Governance Reform Programme. *Kenya National Development Programme. Consolidates constitutional references from all 35+ programme documents.*

Seven constitutional amendments. Thirty-two statutory instruments. One political strategy. The Constitution carries the programme. The programme carries the nation.

PROGRAMME INTEGRATION APPENDIX

Mfumo wa Katiba — Constitutional Reform — Cross-Programme Integration, Employment Summary and Legal Register

A. Employment Summary

Institution / Role	Permanent	Entry-Level	Entry Qualification and Pathway
Ministry of Constitutional Affairs (reformed)	200	50	Constitutional reform programme managers, legal drafters — KNQF Level 7. Entry via civil service competitive process.

staff			
County Assembly constitutional engagement teams	470	470	ALL new entry-level positions. One constitutional liaison officer per county — KNQF Level 5.

Employment Summary	Figure
Total permanent positions (Year 10 steady state)	~670
Entry-level positions (KNQF Level 2–5)	~520
Reference — full programme employment register	Programme Integration Index (PII) Section Two

B. Cross-Programme Linkages

Every linkage below names the specific institution, data system, or instrument that creates the interface. Vague references are not listed — only confirmed operational connections.

Links To	Specific Linkage — Institution, Data System, or Instrument at the Interface
ALL 43 programme documents	Mfumo wa Katiba is the consolidation of every constitutional and legal reference from every programme document. Every Act, every constitutional amendment, and every constitutional provision relied upon by every programme document is catalogued and sequenced in Mfumo wa Katiba. ADDITIONS NEEDED: KMEC Act (Year 1) and National Fire and Rescue Service Act (Year 2) are currently absent from the statutory register.
Haki ya Taifa	The Anti-Corruption Court Division (designed in Haki) is an instrument created by a statutory amendment to the Judicature Act — this must be named in Mfumo wa Katiba's Tier 2 statutory register. KIACC Act is a Tier 1 Mfumo wa Katiba instrument designed in Ulinzi.
Ulinzi na Usalama	KIACC Act, NYS Reform Act, KMEC Act (missing), National Fire and Rescue Service Act (missing), Prison Service Reform Act, NPS Reform Acts — all are Ulinzi institutions requiring statutory instruments catalogued in Mfumo wa Katiba.
Ardhi ya Taifa	Mfumo wa Katiba has the most extensive Ardhi cross-reference: Constitutional Amendment 3 (NLC), Amendment 4 (dual-title referendum), Land Registration Act Amendment, Community Land Act Amendment, PLUPA Amendment, Land Value Tax Act, Land Valuation Tribunal Act.

C. Legal Instruments and Constitutional Protection

Legal Instrument	Year	Pathway

All 7 constitutional amendments (see Section 2 of Mfumo wa Katiba for full text and pathway)	Years 2–5	Art. 368(1) or Art. 255
All 32 statutory instruments (see Section 3 of Mfumo wa Katiba)	Years 1–5	Simple majority or CRA process
KMEC Act — MISSING, must be added to Tier 1 Year 1 register	Year 1	Simple majority
National Fire and Rescue Service Act — MISSING, must be added to Tier 2 Year 2 register	Year 2	Simple majority

D. Live Metrics and Accountability

Full cross-reference detail: Programme Integration Index (PII) — Sections 1, 2, and 3.
Live metrics: Constitutional Reform Progress Dashboard. Monthly: Bill introduction status (Bills introduced vs planned), county assembly ratification progress (counties that have passed resolutions in support of pending constitutional amendment Bills), referendum preparation status (Year 5 dual-title referendum). Annual: statutory instruments enacted vs programme requirement.